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EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/645,736

Applicant(s)

PETERSON, MICHAEL

Examiner

GREGORY J. VAUGHN

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Application Background

1. This action is responsive to the applicant's response filed on 3/11/2008.
2. No claim where amended with this response.
3. Claims 1 and 3-21 are pending in the case; claims 1, 7, 13 and 17 are independent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

5. Claims 1, 3, 5-14 and 16-21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Tittel et al., "XML for Dummies", Copyright 2000 IDG Books Worldwide (hereinafter Tittel) in view of Molina-Moreno et al., US Patent Publication 2004/0153992, filed 1/31/2003, published 8/5/2004 (hereinafter Molina).
6. **Regarding independent claim 1**, the Tittel reference is a training manual for writing extensible markup-language (XML) documents for use in computers and on

the Internet. XML documents can generally be referred to as web pages (page 1, second paragraph). It is well known that XML (and other markup languages) can be used to exchange data on the Internet. Data is exchanged based upon a request from a client; the request is processed by a server, and a resultant web page is transmitted back to the requestor (pages 12-14). Tittel discloses parsing a definition file with a parser, said definition file comprising addresses to template files and addresses to content files, extracting the template and content files where the template file contains formatting information for the web page. Tittel discloses the use of document type definition (DTD) files on pages 61-63. Tittel discloses the use of style sheets that control formatting of the web page on pages 141-145. Tittel discloses the DTD file referencing the addresses of both template and content files on page 189. Tittel discloses the DTD file referencing multiple template files, where the first template file is selected on pages 145-149. Tittel refers to these types of template files as cascading style sheets (CSS).

Tittel describes web pages that are created using XML components, as described above. Tittel does not disclose creating a resultant HTML web page. Molina is directed toward generating user interface web pages, where XML components are combined to generate a HTML web page. Molina describes an XML DTD starting at paragraph 173. Molina discloses a resultant HTML web page on page 29 (shown as Figure 2) and the markup language for this web page is shown starting on page 30. The code segment "*DOCTYPE HTML PUBLIC*" indicates that the result is an HTML web page.

Therefore, it would have been obvious, to one of ordinary skill in the arts, at the time the invention was made to create web pages, as taught by Tittel in HTML format, as taught by Molina in order *“to simplify and speed up the process of writing computer code which implements user interfaces for business and other application programs”* (Molina, paragraph 22)

7. **Regarding dependent claim 3**, Tittel discloses the template file comprising page layout information on page 145. Tittel recites: *“With CSS1, you can control the format and display of colors and backgrounds, fonts and text, spacing, element positioning and size”*
8. **Regarding dependent claim 5**, Tittel disclose the use of variables on pages 340-341.
9. **Regarding dependent claim 6**, Tittel discloses the use of pointers on pages 241-245
10. **Regarding independent claims 7, 13 and 17**, the claims are directed toward a method or system of claim 1 and are rejected using the same rationale.
11. **Regarding dependent claims 8, 9, 16, 18 and 19**, the claims are directed toward a method and system for the method of claim 5, and are rejected using the same rational.
12. **Regarding dependent claims 10 and 20**, Tittel discloses a variable that specifies a language preference (described as character sets) on pages 132-135.

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13. **Regarding dependent claims 11 and 21**, Tittel discloses a variable that specifies a descriptor of the client computer system (described as a namespace) on pages 210-211.
14. **Regarding dependent claim 12**, the claim is directed toward a system for the method of claim 6 and is rejected using the same rationale.
15. **Regarding dependent claim 14**, Tittel discloses layout information as described above in the rejection of claim 1.
16. Claims 4 and 15 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Tittel in view of Molina and in further view of Hsu et al. US Patent Publication 2004/0010710, filed 7/10/2002, published 1/15/2004 (hereinafter Hsu).
17. **Regarding dependent claims 4 and 15**, Tittel and Molina disclose serving web pages, as described above. Tittel and Molina disclose exchanging information, but fail to disclose determining if a client is authorized to view the content. Hsu teaches determining if a user is authorized to view content in figure 3 at reference sign 301 (shown as "Whether the URL is denied").

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to use the authorization control taught by Hsu with the web page serving system of Tittel and Molina in order to provide "*a security system and method, used to control and filter requests according to an individuals user's authority*" (Hsu, paragraph 10).

Response to Arguments

18. Applicant's arguments filed 3/11/2008 have been fully considered but they are not persuasive.
19. Regarding the rejection of claim 1, applicant argues that Molina fails to disclose *"transforming the XML DTD to an HTML resultant web page"* (page 2, fourth paragraph, of the response filed 3/11/2008). In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *"transforming the XML DTD to an HTML resultant web page"*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, as described above, Tittle discloses using XML components to create a web page in XML form. Molina is relied upon to disclose that an HTML web page can be created using XML components. The examiner has pointed to the XML DTD as an example of the XML components incorporated in the HTML web page creation process of Molina. It should be noted that Molina is directed toward automatic generation of user interfaces (see title). Molina automatically generates the user interfaces by mapping the logical elements of an object to the appropriate programming language. Molina recites: *"A mapping establishes a correspondence between meta-model elements or building blocks and their implementation in a given high level computer language ... A complete set of mappings has to be established*

in order to generate a user interface for a given language. We have successfully developed such mappings and implemented the corresponding code generators for Visual Basic, Java (desktop environments) JSP, Cold Fusion, and ASP (web environments)” (paragraphs 329 and 330). Molina describes a web page as a user interface for web environments. Molina gives an example of a Cold Fusion mapping on page 20, after paragraph 333, where the building blocks are mapped to the HTML language, and thus directed toward generating an HTML web page. Molina gives further evidence of Cold Fusion used to create HTML web pages on pages 29 and 30, as described above.

In response to applicant's argument that Molina fails to disclose how the web page is created from the XML DTD, applicant is directed to Figure 2 and paragraphs 80-89 which describe the process at a high level. After the specification for the interface are captured and validated, the object model is created. Molina's object model is embodied as an XML DTD (see paragraphs 173-254). The instantiated model is mapped to computer language and presented to the user, as described above. Molina discloses that the computer language can be HTM, as described above.

Conclusion

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Stephen S. Hong/
Supervisory Patent Examiner, Art
Unit 2178

/Gregory J. Vaughn/
Patent Examiner
July 16, 2008